



**Town of Framingham  
Police Department**

## **Policy on Police Media Relations #50-1**

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**Type of policy:** New ( )      Amendment ( )      Re-Issue ( X )

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**Level:** Public Safety ( )      Police Division ( X )      Town Wide ( )

### **Policy Statement**

To operate effectively, the department must have the support of the community. The goal of the public information function is to obtain this support through the development and maintenance of a positive relationship of mutual trust, cooperation, and respect with the news media and the community by providing them with accurate and timely information on events that affect the lives of citizens in the community. While maintaining the privacy rights of individuals and the integrity of criminal investigations, authorized personnel will be expected to release public information with openness and candor. The department is committed to informing the community and the news media of events within the public domain that are handled by or involve the department

### **References**

None

## Special Terms

***Public Information:*** Information that may be of interest to the general public regarding policy, procedures, or events involving the department or otherwise newsworthy information that is not legally protected, which does not unduly interfere with the mission of the department, infringe upon the rights of a defendant, or compromise the legitimate safety and privacy interests of officers, victims, witnesses, or others.

***News Media Representatives:*** Official news media personnel are those individuals who are directly employed by agencies of the electronic or print media, such as radio, television, and newspapers. Freelance workers in this field are to be regarded as other members of the general public unless otherwise designated by the chief of police.

***Public Information Officer (PIO):*** The department's Public Information Officer is responsible for handling the department's public information function and acts as the official spokesman for the department in conducting and maintaining an active liaison with the news media, serves as a central source of information for release by the department, and responds to requests for information by the news media and the community. NOTE: The Chief and/or Deputy Chiefs may also release information to the media.

## Policy

It is the policy of this department to cooperate fully and impartially with authorized news media representatives in their efforts to gather factual, public information pertaining to activities of the department, as long as these activities do not unduly interfere with departmental operation, infringe upon individual rights, or violate the law.

### I. DUTIES OF THE PUBLIC INFORMATION OFFICER

A. The Chief of Police is responsible for the public information function of the department. The Deputy Chief of Administration coordinates the public information function of the department and designates an officer to act as the department's Public Information Officer. The PIO will be responsible for coordinating and supplying all information to the media and will be available to:

1. Assist news media personnel in covering routine news stories, and at the scenes of incidents;

2. Conduct interviews him/herself or coordinating interviews with other qualified departmental personnel. All conversations with members of the news media should be considered "on the record" and subject to being quoted.
3. Prepare and distribute news releases;
4. Arrange for, and assist at, news conferences. News conferences will be held only in connection with major events of concern to the community. The Chief will be informed of all news conferences. The P.I.O. will facilitate the news conference, which may include the Chief or designee;
5. Coordinate and authorize the release of information about victims, witnesses and suspects;
6. Assist in crisis situations within the agency; and
7. Coordinate the release of authorized information concerning confidential agency investigations and operations.

## **II. COOPERATION WITH THE MEDIA**

- A. Authorized news media representatives shall have reasonable access to the PIO, as governed by this policy. When information must be denied to a media representative, the basis for that denial shall be fully and courteously explained.
- B. All inquiries from the media shall be responded to in a timely and professional manner. During normal business hours, media inquiries shall be directed to the P.I.O. The P.I.O. is on-call after business hours and may be reached via cell phone. Media inquiries will be directed to the Commanding Officer when the P.I.O. is unavailable.
- C. Commanding Officers may release information to the press when the P.I.O. is unavailable and the information released is consistent with this policy. Commanding Officers may only release information regarding specific incidents that the media needs immediate information about.
- D. Desk officers when receiving telephone calls from media personnel may release any information that is/would be available in the daily log, i.e. accident locations, storm damage. Any further details must be referred to the P.I.O.
- E. Any officer may give information to media personnel with prior approval from the P.I.O. or the Chief.

- F. Before providing information to the news media or responding to inquiries from media representatives, the following police requirements will be carefully considered. The Necessity to:
1. to prevent interference with, or hampering of a police investigation;
  2. to preserve evidence;
  3. to protect the safety of the victims of the crime;
  4. to protect the identity of informants;
  5. to successfully apprehend the perpetrators of crime;
  6. to successfully apprehend the perpetrators of crime; and
  7. to avoid prejudicial pretrial publicity.
- G. Public information may be provided to media representatives by telephone, if the identity of the representative is known or can be authenticated.
- H. The shift commander shall be responsible for ensuring that the department's PIO and the Chief of Police are informed of major events that may have media interest.
- I. In instances where more than one agency is involved in a mutual effort, the agency having primary jurisdiction shall be responsible for release, or coordinating the release, of information.
- J. In instances where several agencies from the Town of Framingham are involved, the Town Manager will designate a PIO to coordinate the dissemination of information.
- K. Members of this Department will abide by all laws regarding the release of information under the Public Records laws and restrictions under the Criminal Offender Release of Information Act (C.O.R.I.).

### **III. INVESTIGATIVE INFORMATION**

- A. From the initial stage of a criminal investigation until the completion of a trial or disposition without trial, police personnel shall refer all requests for information to the Public Information officer.

1. **Information which may be released** in connection with investigations includes:
  - a. The type or nature of an event or crime;
  - b. The location, date and time, injuries sustained, damages, and a general description of how the incident occurred;
  - c. Type and quantity of property taken;
  - d. The identity and approximate address of a victim with the **exception of sex crime victims, victims 17 years of age or under**, or in cases where reprisals or intimidation may be employed;
  - e. Requests for aid in locating evidence, a complainant, or a suspect;
  - f. Number of officers or people involved in an event or investigation, and the length of the investigation; and
  - g. Name of the officer-in-charge of a case, his supervisor, and his division or unit assignment. (Exception: The name of any undercover officer will not be released).
2. **Information which may not be released** in connection with investigations of an event or crime, unless authorized by the chief of police include:
  - a. The identity of a suspect prior to arrest unless such information would aid in apprehending the suspect or serve to warn the public of potential danger;
  - b. The identity of any victim of a sex crime or any related information which, if divulged, could lead to the victim's identity;
  - c. The identity of victims or witnesses if such disclosure would prejudice an investigation to any significant degree, or if it would place the victim or witness in personal danger.
  - d. The identity of any juvenile, 17 years of age or under, who is a suspect or defendant in a case subject to the jurisdiction of the juvenile court;
  - e. The identity of any complainant 17 years of age or under;

- f. The identity of any critically injured or deceased person prior to notification of next of kin;
- g. The results of any investigation procedure such as lineups, polygraph tests, or other procedures (the fact that these tests have been performed may be revealed without further comment);
- h. Information that may be of evidentiary value in criminal proceedings;
- i. Specific cause of death unless officially determined by the medical examiner; and
- j. The identity of any victim of domestic violence or any related information which, if divulged, could lead to the victim's identity;
- k. Sensitive information relating to internal investigations of police officers shall not be released without express permission of the Chief.
- l. Identity of undercover personnel
- m. Any other information prohibited by state law from being publicly disclosed

#### **IV. ARREST INFORMATION**

- A. Following arrest, issuance of an arrest warrant, or indictment, it is permissible to release:
  - 1. The accused's name, age, residence, occupation, and family status, unless the accused is 17 years of age or under or is taken into custody because of mental illness;
  - 2. The time and place of arrest, whether pursuit was involved or resistance was encountered, whether weapons were used, charges placed against the suspect, and description of contraband seized;
  - 3. The identity of the arresting officers and the duration of the investigation, unless the officers are engaged in undercover situations; and

4. The amount of bond, scheduled court dates, and place of the suspect's detention.
- B. Following arrest and formal charging of a suspect, but prior to adjudication, the following types of information shall not be released:
1. Prior criminal conviction record, character, or reputation of the defendant;
  2. Existence or contents of any confession, admission, or statement of a defendant or his failure or unwillingness to make a statement;
  3. Performance or results of any tests, or a defendant's refusal or failure to submit to tests such as a polygraph;
  4. Identity, statement, or expected testimony of any witness or victim;
  5. Any opinion about the guilt or innocence of a defendant or the merits of the case;
  6. Any opinion or knowledge of the potential for a plea bargain or other pretrial action.

## **V. MEDIA ACCESS TO CRIME/INCIDENT SCENES**

- A. Departmental personnel shall extend every reasonable courtesy to news media representatives at crime/incident scenes. Media representatives shall at least have access to scenes that is available to the general public. Closer access may however be granted by the on-scene commander to the degree that it does not interfere with the police mission or the movement of traffic.
- B. The activities of media representatives may be reasonably restricted if those activities seriously hamper police operations or if those activities threaten to worsen a dangerous or volatile situation. Whenever police reasonably believe it is necessary to prohibit all but emergency personnel near a crime or incident scene, they may bar entry by media representatives.
- C. The news media shall not be allowed access to any area or scene of an incident or crime where there is a possibility that evidence may be damaged, altered, destroyed, or otherwise prejudiced by its existence being published or portrayed. Once evidence has been processed, removed, and secured by the department, the media may be allowed to enter by permission of the Officer in-Charge at the scene.

1. On private property, photography, film, or videotape recording requires the permission of the owner or the owner's representative.
  2. Suspects or accused persons in custody shall not be posed or arrangements made for photographs, telecasts, or interviews, nor shall department personnel pose with suspects or accused persons in custody.
  3. When an individual is charged with a criminal offense and is sought by law enforcement authorities, photographs or mug shots may be released to the media to help locate the individual.
- D. At the scene of significant accidents, man-made or natural catastrophes, the principles of media cooperation shall be maintained to the degree that they do not interfere with the mission of the police, fire, medical, or other emergency relief workers.
- E. Media access to and movement within fire lines shall be controlled by the fire officer-in-charge.
- F. News media representatives should not be prevented from access to any area solely because of the possibility of their injury or death. The media representative should be advised of the danger and allowed to make the decision to enter on his own volition.
- G. At critical incident scenes, the P.I.O. or scene Commander will establish a media staging/briefing area as close to the scene as safety and operational requirements allow.
- H. At critical incidents (i.e. hostage situations, barricaded suspects), members of the department will work in close cooperation with the media to ensure that live broadcasts do not disclose any information that could endanger law enforcement personnel or the general public.

## **VI. RECORDS AND REPORTS**

- A. In compliance with M.G.L. c. 41, s. 98F, the Department will maintain a Daily Log. This Daily Police Log and such administrative reports of criminal activity as specified by the Chief of Police will be made available on a daily basis to media representatives (as well as members of the public).

## **VII. MEDIA RIDE ALONGS**

Media “ride alongs” are generally not allowed by this department. The Chief of Police however may provide authorization for ride alongs under special circumstances. Authorized ride alongs must comply with the requirements in section V-C of this policy.